

EXPANDED DRAFT MEETING SUMMARY  
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NASHUA CITY PLANNING BOARD  
August 6, 2020

The regularly scheduled meeting of the Nashua City Planning Board was held on August 6, 2020 at 7:00 PM via WebEx virtual meeting.

Members Present:     Scott LeClair, Chair  
                         Adam Varley, Vice Chair  
                         Mike Pederson, Mayor's Rep.  
                         Ed Weber, Secretary  
                         Dan Hudson, City Engineer  
                         Ald. David  
                         Maggie Harper  
                         Larry Hirsch

Also Present:           Linda McGhee, Deputy Planning Manager  
                         Christine Webber, Department Coordinator

**Approval of Minutes**

July 9, 2020

**MOTION** by Mr. Hirsch to approve the minutes of the July 9, 2020 meeting, as written.

**SECONDED** by Ms. Harper

**MOTION CARRIED 5-0-2 (Varley, Tencza abstained, Pedersen did not vote)**

**COMMUNICATIONS**

Ms. McGhee went over the following items that were received after the case packets were mailed:

- Email from Street Construction Engineer Joe Mendola re: Case #7
- Revised waiver letter re: Case #8
- Email from Street Construction Engineer Joe Mendola re: Case #8
- Email from Traffic Engineer Wayne Husband re: Case #8
- Email from abutter re: Case #8

## **REPORT OF CHAIR, COMMITTEE & LIAISON**

Historic District Commission: Mr. Weber said a meeting was held on July 27<sup>th</sup>, regarding a kitchen exhaust at 43 Main St.

### **COVID-19 Address**

Mr. LeClair addressed the COVID-19 pandemic as follows: Due to the State of Emergency declared by Governor Sununu as a result of COVID-19 pandemic and in accordance with the Governor's Emergency Order #12, pursuant to Executive Order 2020-04, this public body is authorized to meet electronically until further notice.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized to meet electronically pursuant to the Governor's order. However, in accordance with the Emergency Order, this is to confirm that we are:

#### **1. Access**

The Board is providing public access to the meeting by telephone, with additional access possibilities by video or other electronic access means.

The Board is video conferencing utilizing WebEx for this electronic meeting. All members of the Planning Board have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to listen to this meeting.

Public access to this meeting is also provided via WebEx. The link to this meeting is contained in the meeting agenda, available on the city website. The meeting can be streamed thru the city's website on Nashua Community Link and also on Channel 16 on Comcast.

#### **2. Public Notice**

The Board previously gave public notice to the meeting and the necessary information for accessing the meeting through public postings, and where applicable notice to abutters. Instructions have also been posted to the city website, and publicly noticed at City Hall.

### **3. Public Alert**

The Board is providing a mechanism for the public to alert the Board during the meeting if there are problems with access. If anybody has a problem accessing the meeting via phone, please call (603)-589-3115, and they will help you connect.

### **4. Adjourning the Meeting**

In the event that the public is unable to access the meeting via the methods above, the meeting will be adjourned and rescheduled.

### **5. Procedures**

The Chair is in control of the meeting, and to the extent practicable and advisable the Board will follow the procedures identified in the Bylaws. The applicant will present the applicant's case, followed by questions by the Board. The Chair will then allow testimony from persons wishing to speak in favor, or with questions or opposition, before the Board deliberates and determines an outcome.

Applicants and their representatives, and individuals required to appear before the Board are appearing remotely, and are not required to be physically present. These individuals may contact the Planning Department to arrange an alternative means of real time participation if they are unable to use WebEx. Documentary exhibits and/or visual presentations must be submitted in advance of the meeting so that they may be displayed for remote public access viewing.

Real-time public comment can be addressed to the Board utilizing WebEx virtual meeting software for remote access. Real-time public comments via audio will be addressed at the conclusion of the public hearing. This application will allow users to view the meeting, and submit questions or comments to the Board utilizing the WebEx software.

The public is also encouraged to submit their comments via email to the Department email at [planningdepartment@nashuanh.gov](mailto:planningdepartment@nashuanh.gov) or by mail. Please be sure to include your name, address, and comments. Letters should be addressed to Planning Department, P.O. Box 2019, Nashua, NH 03061.

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Please note that all votes taken during this meeting will be done by roll call. Planning Board meetings will be held electronically until further notice, when it is deemed safe to conduct meetings at City Hall.

The Planning Department and Board thank you for your understanding and patience during this difficult time.

**OLD BUSINESS - CONDITIONAL/SPECIAL USE PERMITS**

None

**OLD BUSINESS - SUBDIVISION PLANS**

None

**OLD BUSINESS - SITE PLANS**

4. Oakwood Square, LLC, c/o The Stabile Companies (Owner) - Application and acceptance of proposed site plan amendment to NR669 to construct a 40 space parking lot. Property is located at 6-8 High Pine Avenue. Sheet E - Lot 145. Zoned "RC" Urban Residence. Ward 1. **[TABLED FROM THE JULY 9, 2020 MEETING.]**

**MOTION** by Ald. Tencza to remove Case #1 from the Table

**SECONDED** by Mr. Pedersen

**MOTION CARRIED 8-0**

**MOTION** by Mr. Varley to reopen the hearing for Case #1

**SECONDED** by Ald. Tencza

**MOTION CARRIED 8-0**

Ethan Beals, Project Engineer, Hayner/Swanson Inc., 3 Congress St, Nashua NH

Mr. Beals introduced himself to the Board as representative for the applicant.

Mr. Beals gave an overview of the proposed changes to what was presented at the July 9<sup>th</sup> meeting. They are proposing raised granite curbing along the westerly and easterly sides to provide

a car stop and prevent cars from driving off of the pavement. They are providing a paved sidewalk connection for pedestrians to access the abutting Pine Hill Gardens. They added a note to the plan to try and preserve the existing vegetation. He addressed lighting, and said they have added shorter light poles in two locations, which are dark-sky compliant. They provided a draft parking and access easement for shared parking between Oakwood Square and Pine Hill Gardens. There is some coordination still needed with Engineering Dept. for lighting, but they feel this can be addressed.

Mr. LeClair asked him to outline the waiver requests.

Mr. Beals outlined the waiver requests as outlined in the staff report.

Mr. LeClair said the stormwater report was revised, and asked what changed.

Mr. Beals said they regraded the stormwater basins to address some Engineering comments.

Mr. LeClair asked Staff for the date of the most recent review comments.

Ms. McGhee said July 29<sup>th</sup>.

Mr. LeClair asked Mr. Beals if he had reviewed them.

Mr. Beals said yes. There are two outstanding comments in regards to lighting, and they feel they can address them.

Mr. Weber asked if stipulation #4 is no longer needed.

Mr. LeClair said the date has been changed to July 29<sup>th</sup>.

#### **SPEAKING IN OPPOSITION OR CONCERN**

Amy Millett, 10 High Pine Ave, Nashua NH

Ms. Millett said she is still concerned with the spillway location. It is 2/3 of the length of her property. She is concerned with damage to the property from heavy rains or snowmelt, and lack of maintenance. She is concerned with increased trash and debris. She is concerned with snow removal,

and would like it addressed. She would like to see lighting on the rear side of the parking lot.

Mr. LeClair said the applicant indicated there is an easement issue on that side of the parking lot.

Ms. Millett said she is concerned that this project is going to depreciate her home value, and monitoring of the parking lot. She would like to see a higher structure between her and the parking lot area.

Mr. LeClair asked if there is a fence currently.

Ms. Millett said they put in a 6-ft stockade fence years ago.

Mr. LeClair asked if it was hers.

Ms. Millett said yes. She said the management office has not been responsive to issues they have had in the past. Who should she call if they have issues with this parking lot?

#### **SPEAKING IN FAVOR**

##### Mr. Beals, Project Engineer

Mr. Beals addressed stormwater and the design of the basins. He addressed lighting and the 100-ft overhead electrical easement. He said the owner of Oakwood would be responsible for snow plowing.

Mr. LeClair asked him to address the neighbor's fence, and asked if there are any structures proposed on their site.

Mr. Beals said there is nothing proposed. He described the proposed site layout in this location. They added the vertical granite curbing to prevent them from driving too far and hitting the fence.

Mr. LeClair asked how far it is from the curbing to the fence.

Mr. Beals estimated between 9 and 10-ft.

Mr. Weber asked if they could provide a trash container to prevent trash from being left in the parking lot. He asked for a contact point if she has issues, since the owner is not responding.

Mr. Beals said he thinks a trash receptacle could be added in this area. He said he would bring up her concerns with his client.

Mr. Weber said in situations like this they have asked the applicant to set up a meeting with the neighborhood to work with the abutters. He thinks that would be a good thing in this situation.

Mr. Beals said he can bring it up.

**SPEAKING IN OPPOSITION OR CONCERN - REBUTTAL**

Amy Millett, 10 High Pine Ave, Nashua NH

Ms. Millett asked where snow would be placed in the winter. She doesn't want it placed up against her fence. She would appreciate a meeting with the owner.

**SPEAKING IN FAVOR- REBUTTAL**

Mr. Beals, Project Engineer

Mr. Beals said this is a smaller parking lot, so hopefully there won't be tremendous amounts of snow generated. He said on Ms. Millett's side of the parking lot there is a 10-ft buffer, so they believe there is room to plot the lot without pushing up to the fence.

Mr. LeClair indicated the closest 3 parking spots, and asked if it is possible to put up a post and beam fence to prevent a plow from going in that direction. He can see it being enticing to push the snow over the curb.

Mr. Beals said he thinks it will be plowed to the areas without curbing, rather than the contractor pushing it over the curb.

Mr. LeClair asked if he can think of other ways to prevent it.

Mr. Beals said he thinks it can be handled operationally by talking to the maintenance team.

**PUBLIC MEETING**

Mr. LeClair closed the public hearing and moved into the public meeting. He summarized the discussion.

Mr. Hudson said they have addressed most of their outstanding concerns.

Mr. LeClair said they should stipulate a trash receptacle.

A discussion regarding snow removal and protecting the western edge ensued.

**MOTION** by Mr. Weber to approve Old Business - Site Plan #1. It conforms to § 190-146(D) with the following stipulations or waivers:

1. The request for a waiver of § 190-279 (EE) which requires one to show existing conditions on site and adjacent parcels, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
2. The request for a waiver of NRO § 190-198 which requires a maximum number of parking spaces, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
3. Prior to the Chair signing the plan, minor drafting corrections will be made.
4. Prior to the issuance of a building permit, all comments in an e-mail from Joe Mendola, Street Construction Engineer, dated July 29, 2020 shall be addressed to the satisfaction of the Engineering Department.
5. Applicant shall maintain a trash receptacle.
6. Applicant shall work with Engineering on a barrier on the three parking spaces to the west to prohibit snow storage.

**SECONDED** by Mr. Varley

**MOTION CARRIED 8-0**

**NEW BUSINESS - CONDITIONAL/SPECIAL USE PERMITS**

None

**NEW BUSINESS - SUBDIVISION PLANS**

2. Public Service Co of NH and City of Nashua (Owners) - Application and acceptance of proposed one year extension of a lot line relocation plan. Property is located at 3 & 21 Pine Street Ext. Sheet 77 - Lots 2A & 17. Zoned "GI/MU" General Industrial/Mixed Use. Ward 4.



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**MOTION** by Mr. Weber that Case #2 is complete and the Planning Board is ready to take jurisdiction.

**SECONDED** by Mr. Pedersen

**MOTION CARRIED 8-0**

**NEW BUSINESS - SITE PLANS**

3. Public Service Co of NH (Owner) - Application and acceptance of proposed one year extension of a site plan to show relocation of Eversource Energy Millyard Substation. Property is located at 3 & 21 Pine Street Ext. Sheet 77 - Lots 2A & 17. Zoned "GI/MU" General Industrial/Mixed Use. Ward 4.

**MOTION** by Mr. Weber that Case #3 is complete and the Planning Board is ready to take jurisdiction.

**SECONDED** by Mr. Pedersen

**MOTION CARRIED 8-0**

*For the purposes of discussion, Cases #2, & #3 were considered together.*

Nick Golan, Project Engineer, TF Moran

Mr. Golan introduced himself as representative for the applicant.

Mr. Golan gave a brief overview of the proposal previously approved. He said the land swap is taking a little bit longer than expected, due to obtaining the necessary easements. He believes this extension will cover that time.

**SPEAKING IN OPPOSITION OR CONCERN**

None

**SPEAKING IN FAVOR**

None

**PUBLIC MEETING**

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Mr. LeClair closed the public hearing and moved into the public meeting. He summarized the discussion.

**MOTION** by Mr. Varley to approve New Business - Subdivision #2. It conforms to § 190-138(G) with the following stipulations or waivers:

1. All prior conditions of approval are incorporated herein and made a part of this plan, unless otherwise determined by the Planning Board.

**SECONDED** by Ald. Tencza

**MOTION CARRIED 8-0**

**MOTION** by Mr. Weber to approve New Business - Site Plan #3. It conforms to § 190-146(D) with the following stipulations or waivers:

1. All prior conditions of approval are incorporated herein and made a part of this plan, unless otherwise determined by the Planning Board.

**SECONDED** by Ald. Tencza

**MOTION CARRIED 8-0**

4. ZJBV Properties LLC (Owner) - Application and acceptance of proposed one year extension of two 84-unit apartment buildings with associated site improvements. Property is located at 159 Temple Street. Sheet 39 - Lot 31. Zoned "GI/TOD" General Industrial/Transit Oriented Development. Ward 7.

**MOTION** by Mr. Pedersen that this application is complete and the Planning Board is ready to take jurisdiction.

**SECONDED** by Mr. Hirsch

**MOTION CARRIED 8-0**

Aaron Mackey, Project Engineer, Allen & Major Associates, 100 Commerce Way, Woburn, MA

Mr. Mackey introduced himself as representative for the applicant.

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Mr. Mackey gave a summary of the previously approved proposal. He said this extension is requested because they are adjusting the interior space due to COVID-19, as well as waiting on the pandemic situation before moving to construction. The site plans have not changed.

Mr. LeClair asked if the architectural elevations have changed.

Mr. Mackey said no. This would be interior modifications.

Mr. LeClair asked if he was accepting of the original stipulations.

Mr. Mackey said correct.

Mr. Hudson asked this site formerly shows an easement, and if the site plan needs to be amended to show that.

Ms. McGhee said they performed a lot line relocation as part of this, and this is probably an older plan.

Mr. Hudson said if this has been corrected, he is fine with it.

Mr. LeClair asked if it could be handled administratively.

Ms. McGhee said yes. The change did get recorded.

#### **SPEAKING IN OPPOSITION OR CONCERN**

None

#### **SPEAKING IN FAVOR**

None

#### **PUBLIC MEETING**

Mr. LeClair closed the public hearing and moved into the public meeting. He said this seems like a pretty reasonable extension, and is in favor.

**MOTION** by Mr. Weber to approve New Business - Site Plan #4. It conforms to § 190-146(D) with the following stipulations or waivers:

1. All prior conditions of approval are incorporated herein and made a part of this plan, unless otherwise determined by the Planning Board.

**SECONDED** by Mr. Pedersen

**MOTION CARRIED 8-0**

5. E Hollis Street Acquisitions LLC (Owner) - Application and acceptance of proposed one year extension of proposed 80 unit multifamily development with associated site improvements. Property is located at 110 East Hollis Street. Sheet 39 - Lot 1. Zoned "GI/TOD" General Industrial /Transit Oriented Development. Ward 7.

**MOTION** by Mr. Varley that the application is complete and the Planning Board is ready to take jurisdiction.

**SECONDED** by Mr. Pedersen

**MOTION CARRIED 8-0**

Aaron Mackey, Project Engineer, Allen & Major Associates, 100 Commerce Way, Woburn, MA

Mr. Mackey introduced himself as representative for the applicant.

Mr. Mackey gave a summary of the previously approved proposal. He said this extension is requested because they are adjusting the interior space due to COVID-19. The site plans have not changed.

**SPEAKING IN OPPOSITION OR CONCERN**

None

**SPEAKING IN FAVOR**

None

**PUBLIC MEETING**

Mr. LeClair closed the public hearing and moved into the public meeting. He said this is a straightforward request.

**MOTION** by Mr. Varley to approve New Business - Site Plan #5. It conforms to § 190-146(D) with the following stipulations or waivers:

1. All prior conditions of approval are incorporated herein and made a part of this plan, unless otherwise determined by the Planning Board.

**SECONDED** by Mr. Pedersen

**MOTION CARRIED 8-0**

6. Southland Corporation (Owner) 7-Eleven (Applicant) - Application and acceptance of proposed amendment to NR1057 to remove existing fueling dispensers, concrete pad, and gas canopy and install new dispensers, islands, canopy and pad. Property is located at 367 Amherst Street. Sheet G - Lot 652. Zoned "GB" General Business. Ward 2.

**MOTION** by Mr. Weber that the application is complete and the Planning Board is ready to take jurisdiction

**SECONDED** by Mr. Pedersen

**MOTION CARRIED 8-0**

Dylan Blackshear, Project Engineer, Core States Group, 9820 Ashtree Dr, Dallas TX

Mr. Blackshear introduced himself to the Board as representative for the applicant.

Mr. Blackshear gave an overview of the request. They propose to replace the tanks, fuel dispensers, and canopies as part of maintenance to the site. Due to the age of the site, they are trying to bring it into DES compliance. They have been in contact with Engineering Dept., and will work with staff to address all outstanding comments.

Mr. LeClair asked for greater detail on the canopy construction, and if there is a parapet to screen tanks and other measures.

[Unidentified Speaker, no address]

[Unknown] said they can definitely suggest that to the client.

Mr. LeClair asked if they can confirm that there will be a parapet.

[Unknown] said they can do that, but he doesn't believe there is fire suppression proposed. They will make sure there is some parapet to block the view.

Mr. Varley said this Board approved a similar plan back in 2016, but the approval lapsed. What happened to the original plan?

Both Mr. Blackshear and [Unknown] expressed that they didn't know.

Mr. Varley asked if it is the same plan as the previously approved plan except to comply with current DES standards

Mr. Blackshear said correct.

Mr. LeClair asked for an explanation of the waiver request as detailed in the staff report.

Mr. Blackshear explained the reasons behind the waiver request.

**SPEAKING IN OPPOSITION OR CONCERN**

None

**SPEAKING IN FAVOR**

None

**PUBLIC MEETING**

Mr. LeClair closed the public hearing and moved into the public meeting. He led a brief discussion regarding parapet concealment on the canopy.

**MOTION** by Mr. Varley to approve New Business - Site Plan #6. It conforms to § 190-146(D) with the following stipulations or waivers:

1. The request for a waiver of § 190-279(E), which requires an existing plan, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
2. Prior to the chair signing the plan all comments in an e-mail from Joe Mendola, Street Construction Engineer, dated July 29, 2020 shall be addressed to the satisfaction of the Engineering Department.

3. Prior to the chair signing the plan, minor drafting corrections will be made.
4. Prior to the issuance of a certificate of occupancy, all site improvements will be completed.
5. Prior to any work on site, a pre-construction meeting shall be held and a financial guarantee shall be approved.
6. The applicant will include a parapet around the canopy to hide from view to hide any mechanical equipment.

**SECONDED** by Mr. Weber

**MOTION CARRIED 8-0**

7. Lefavor Folio, LLC (Owner) - Application and acceptance of proposed site plan to show 18 multi-family units and associated site improvements. Property is located at 111-113 Lock Street. Sheet 41 - Lot 14. Zoned "GI" General Industrial. Ward 3.

**MOTION** by Mr. Pedersen that the application is complete and the Planning Board is ready to take jurisdiction

**SECONDED** by Mr. Hirsch

**MOTION CARRIED 8-0**

Tom Zajac, Project Engineer, Hayner Swanson Inc, 3 Congress St, Nashua NH

Mr. Zajac introduced himself to the Board as representative for the applicant. He also introduced Atty. Gerald Prunier.

Mr. Zajac described the surrounding neighborhood and current site conditions. He said the property line ends at the top of the riverbank. This site is an active asbestos disposal site, and they do not anticipate any impacts to the capped area.

Mr. Zajac gave an in depth presentation of the proposal. He described the site layout and building design elements. Their traffic engineer prepared a traffic memo for this site, and expects this site will result in minimum impact.

Mr. Zajac explained the proposed changes to stormwater onsite, and how they plan to improve current conditions. He outlined in great detail the different ways runoff flow will be directed and

captured. They will be impacting the 75-ft "Prime" wetland buffer, which they received Conservation Commission review and feedback on. He described their efforts to avoid and reduce impervious surfaces within the buffer, and increase green space.

Mr. Zajac said this project has received favorable recommendation from the Conservation Commission, and a use variance from the Zoning Board. He outlined their waiver request. They are amenable with all recommended staff conditions of approval except Stipulation #4, and asked for the flexibility to choose ownership status if necessary. They have reviewed all Engineering Dept. comments, and are willing to work to resolve all outstanding issues.

Mr. LeClair asked about the tip-down area on the plan.

Mr. Zajac said it serves a dual purpose as dumpster access and a turn-around point for the Fire Dept.

Mr. LeClair asked if parking would be allowed, or would there be No Parking signage.

Mr. Zajac said there are No Parking signs, as requested by the Fire Dept.

Mr. LeClair asked if utilities are underground.

Mr. Zajac said yes, once onsite.

Mr. LeClair asked about the buffer to the east and west, and if any plantings are proposed.

Mr. Zajac outlined the landscaping plan. They will do their best to maintain the buffers.

Mr. LeClair asked for details on the electrical connections.

Mr. Zajac explained the connection between overhead and underground connections, and the various electrical services on and around the site.

Mr. Varley asked for clarification on the existing sewer service and the outstanding comment.

Mr. Zajac said they propose to reuse the existing service. They propose a note on the plan that the contractor record the quality and condition of the service for Engineering Dept.



Mr. Weber asked if they considered porous pavement due to the proximity to the river.

Mr. Zajac said they have a fairly robust stormwater program. Pervious pavement is a useful tool, but they have gone with more formal treatment practices. There are cost, maintenance, and lifespan concerns. They believe what they have proposed has an increased longevity and allows for maintenance.

Mr. Hudson agrees with Mr. Zajac.

Mr. Weber asked if oil spills on the T-turn area would leak towards or away from the buffer zone.

Mr. Zajac said it pitches away, and is all curbed. It's purposely bermed to prevent overland flow towards the river.

Mr. Varley said one of the conditions is that work is in accordance with DES restrictions on asbestos. Is this in compliance with those requirements?

Mr. Zajac said yes, and outlined how they are meeting those requirements. They don't anticipate disturbing the existing cap.

#### **SPEAKING IN OPPOSITION OR CONCERN**

None

#### **SPEAKING IN FAVOR**

None

#### **PUBLIC MEETING**

Mr. LeClair closed the public hearing and moved into the public meeting. He said this is a well laid out site, and an improvement from current conditions. He summarized the discussion, and said he is in favor.

Mr. Varley agreed with Mr. LeClair. He said this is a well-designed plan. He led a brief discussion on recommended stipulation #4, and said the applicant's request is reasonable.

**MOTION** by Mr. Varley to approve New Business - Site Plan #7. It conforms to § 190-146(D) with the following stipulations or waivers:

1. The request for a waiver of NRO § 190-198, which establishes maximum parking standards, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
2. Prior to the Chair signing the plan, all comments in an e-mail from Joseph Mendola, Street Construction Engineer, dated July 30, 2020 shall be addressed to the satisfaction of the Engineering Department.
3. Prior to the Chair signing the plan, minor drafting corrections will be made.
4. The applicant shall provide documents establishing a condo association which will be responsible for maintaining all property in common ownership if they elect to do so. The association documents shall be submitted to the Planning Department and Corporation Counsel for review.
5. Prior to issuance of the final certificate of occupancy for the development, an as-built plan locating all driveways, units, other buildings, utilities and site landscaping shall be completed by a professional engineer and submitted to the Planning Department. The as-built plan shall include a statement that all construction was generally completed in accordance with the approved site plan and applicable local regulations. Sidewalk construction shall be to base course, with final course pavement remaining bonded until completion.
6. This is an identified inactive asbestos disposal site, all work must be in compliance with Env-Sw 2100 and Env-A 1800.
7. Prior to the issuance of the last Certificate of Occupancy, all site improvements will be completed.

**SECONDED** by Mr. Weber

**MOTION CARRIED 8-0**

8. Nashua Housing and Redevelopment Authority (Owner) Boston Capital Corporation and Nashua Housing and Redevelopment Authority (Applicant) - Application and acceptance of proposed amendment to NR1212 to show the redevelopment of the Bronstein Apartment Complex. Property is located at 41 Central Street. Sheet 80 - Lot 89. Zoned "RC" Urban Residence. Ward 4.

**MOTION** by Mr. Pedersen that the application is complete and the Planning Board is ready to take jurisdiction.

**SECONDED** by Mr. Hirsch

*Ald. Tencza recused himself and left the meeting*

**MOTION CARRIED 7-0**

Jim Petropulos, Project Engineer, Hayner Swanson Inc.

Mr. Petropulos introduced himself to the Board as representative for both applicants. He also introduced Richard Mazzocchi of Boston Capital Corporation, Lynn Lombardi of Nashua Regional Housing Development Authority, Atty. Jay Leonard of Welts, White, & Fontaine, and Traffic Engineer Steve Pernaw.

Mr. Petropulos gave an overview of the project background. He said all current residents have been notified and relocated in order to proceed with the demolition, and all residents will have the option to return once construction is complete.

Mr. Petropulos described the current conditions. He described the site and surrounding neighborhood. He gave a brief history of the Bronstein Apartments, and its current layout.

Mr. Petropulos presented the proposed redevelopment. He described each of the four residential buildings. He said the first level of Building D will include management offices, community amenities for the residents, and a daycare that will operate from 9am-1pm. He addressed parking, stormwater, lighting, and landscaping. He outlined the traffic impact report, and said all traffic related comments from city staff have been addressed. He presented the architectural concepts and building design. If successful, this project would begin work in spring 2021.

Mr. Petropulos outlined the revised waiver requests. He said there would be no dumpsters provided onsite, and trash will be contained internally. He said there are limited areas for snow storage onsite, and significant snow would need to be trucked offsite. He summarized the reasons they believe this redevelopment is necessary.

Mr. Petropulos said he is aware that several letters of concern have been submitted to the city for this redevelopment proposal. He submitted five letters of support. He said the recommended stipulations of approval are acceptable, and will work with staff to resolve any outstanding comments.

Mr. LeClair asked if there were any thoughts of an internal bus stop or inset off the roadway for a bus stop at this location.

Mr. Petropulos said they are providing good sidewalk access to the bus stop on Central St. They don't anticipate public bus transit entering the site.

Mr. LeClair asked if it isn't feasible to have a pull-off on the street. He is concerned about buses pulling off for long periods of time.

Mr. Petropulos said there is street parking and a widened shoulder on Central St. He believes there is a designated "No Parking" area for the bus.

Mr. LeClair asked if the school bus uses the same area.

Mr. Petropulos said yes. It currently works today, and someone from the Housing Authority can speak on this as well.

Mr. LeClair asked if there was any intent to phase this.

Mr. Petropulos said demolition and site improvements will all occur at the same time. This project will progress from Building A to B, C, and D, and it's likely that Building A will be occupied in advance of the other buildings. In that situation they would want to work with staff to make sure the site was safe and site improvements were complete. They haven't gotten to that level of detail yet.

Mr. LeClair said that would be a benefit, due to the relocated residents. He asked if there would be bicycle parking.

Mr. Petropulos said they could consider getting a bike rack in here. It's a good idea. They don't take up a lot of space.

Mr. LeClair asked if fencing was proposed along Central St.

Mr. Petropulos said there is fencing currently, which would stay up during construction. Afterwards, the fencing will be removed.

Mr. LeClair asked if there are any provisions for solar panels on the roof or a design to accommodate it.

Mr. Petropulos said he would defer that to Boston Capital.

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Mr. LeClair asked to discuss the architectural elements at that time.

Mr. Varley asked for details on the relocation plan, and whether there would be any changes in the rental rates.

Mr. Petropulos deferred that question to other members of his team.

Mr. Hirsch asked how parking would work on Myrtle St.

Mr. Petropulos described access to the site, and parking on Myrtle St. He said they received a variance to construct parking on Myrtle St.

Mr. Pedersen referred to the staff report and asked staff about the two-story building.

Mr. Petropulos said they initially had a concept of four 4-story buildings and one 2-story building, but the current proposal removed that.

Mr. Pedersen asked if Fire Dept. comments have been addressed.

Mr. Petropulos said yes, they immediately followed up with the Fire Marshals. He outlined the items they resolved to the satisfaction of the Fire Dept.

Ms. Harper asked if the client would be amenable to installing fencing after the project to keep children away from the road.

Mr. Petropulos deferred that question to the client.

Ms. Harper asked for details on snow storage.

Mr. Petropulos said this is an urban site, and that is a challenge. During significant storm events snow will have to be trucked offsite and disposed in a legal manner.

Mr. LeClair asked for details on relocating and rent.

Lynn Lombardi, Executive Director, Nashua Housing & Redevelopment Authority, 40 East Pearl St, Nashua NH

Ms. Lombardi said they hired a consultant who strictly deals with relocation of residents during redevelopment, Housing

Opportunities Unlimited. She explained their efforts to reach out to the residents, including video meetings, individual calls, and a multilingual facts page distribution. She described the information they have asked for to relocate, and they are working with families individually, and will work with housing brokers to assist. She outlined some of the options they have for relocation.

Ms. Lombardi said they will be providing residents with the costs associated with moving, and the ways they will keep residents from having to pay more than they already are. The residents will have the right to return, and will not be paying more in rent after the redevelopment. She described how they will be addressing rent. She said there is a huge need for affordable housing in the city, and what they are seeing is a lot of market rate housing. They need to counter that with more affordable housing to support lower income residents who need it. Families are waiting upwards of eight years for a 2-bedroom apartment.

Mr. LeClair asked where they are in the relocation process.

Ms. Lombardi said they have not yet begun. Under the federal guidelines, they are required to provide each family with a 90-day notice before relocation. Their contractor will work within the community to begin locating affordable housing for the families. They have no intentions of beginning the process until they know they can proceed with the redevelopment.

Mr. Weber asked if they have a percentage of low income housing increase this will bring.

Ms. Lombardi said only ten of the units will be market rate. They are looking at a 75% increase in affordable housing overall.

Mr. Hudson asked if they could describe the relationship between Nashua Housing Authority and Boston Capital Corp.

Ms. Lombardi said they are approaching the development as co-developers, and at the end Nashua Housing will be the sole owner of the property.

Ms. Harper asked if they foresaw any issues relocating the residents within 90-days due to the lack of affordable housing in the city.

Ms. Lombardi said she doesn't foresee this being easy, which is why they hired a professional consultant. She thinks the plans they currently have in place are starting to address those issues. She listed some of the options they have pursued to locate additional units.

Mr. LeClair asked for details on the architectural design.

Adam Wagner, Project Architect, Market Square Architects, 104 Congress Street, Portsmouth, NH

Mr. Wagner presented one of the conceptual elevation drawings. He said this design is similar in design to other market rate developments they have worked on. He gave an in-depth presentation of façade elements and overall design. He said the flat roof opens them up to the possibility of solar.

Mr. LeClair said structurally speaking he would like to see a building that is capable of supporting solar.

Mr. Weber said it would be a good idea with this many people to work with transportation to get a covered bus stop. He asked if they could accommodate Uber and Lyft services.

Jim Petropulos, Project Engineer

Mr. Petropulos said they would take the covered bus stop under advisement with the codevelopers. He said they would prefer not to have fencing after construction because the buildings are close to the sidewalk. He indicated a fenced in playground area.

Mr. LeClair asked if the sidewalk would be reconstructed.

Mr. Petropulos said that's all new sidewalk as part of the Parkway project. They are not touching it. They are making a sidewalk connection, and all sidewalk within are brand new.

Mr. LeClair asked about lighting within the property, such as landscape level lighting.

Mr. Petropulos said he's not aware of any special lighting between the buildings and the streets.

Ms. Harper asked what the anticipated impact on schools would be.

Lynn Lombardi, Nashua Housing & Redevelopment Authority

Ms. Lombardi outlined what she has done to start discussing this project with the surrounding schools.

Mr. LeClair asked if there was any signage proposed.

Jim Petropulos, Project Engineer

Mr. Petropulos said they aren't proposing anything currently. He said there are no exterior doors along the buildings, and discussed access to the buildings.

Ms. Harper asked for details on timing and how long they think this will take.

Mr. Petropulos said in a perfect world they would break ground in late spring 2021, and be completed by summer 2023.

Mr. LeClair asked if it would be possible for Building A to be online significantly ahead of that.

Mr. Petropulos said a building that size would take about 15 months, so maybe 7-9 months ahead of everything else.

**SPEAKING IN OPPOSITION OR CONCERN**

Paul Janampa, 94 ½ West Hollis St, Nashua NH

Mr. Janampa is concerned who the target population would be. He expressed concern with affordability, and whether people on minimum wage, low wage, or fixed income would be able to afford it. He asked how much community engagement there was before this project was started, and whether they received any feedback from the residents. He said the Nashua Housing Authority hasn't posted meeting minutes since last July, which leaves residents in the dark. He said Nashua has <1% vacancy rate for apartments, and finding an apartment is difficult. Securing residents a new place is going to be really important.

Tim Dolan, 8 Chaucer Rd, Nashua NH

Mr. Dolan said he is concerned with liveability. He said there is little green space proposed. He asked if there is only one sidewalk. He asked if the Fire Dept. approved the emergency exits from the buildings.



Mr. LeClair said that would be handled by building permit review. That's another step of the process beyond this one.

Mr. Dolan said he is concerned that there would not be a dumpster available. He thinks there needs to be for larger furniture. He asked how residents would deal with trash. He asked if there would be any 55+ living. He asked about security access. He said the unit increase is good, but he questions the liveability of that density.

Bob Keating, 5 Coburn Ave, Nashua NH

Mr. Keating said he appreciates the effort that has been put into this project. He is concerned about the length of time for displacement of the residents. He asked for the minimum amount of disruption and compensation.

#### **SPEAKING IN SUPPORT**

Atty. Jay Leonard, Welts, White, & Fontaine, 29 Factory St, Nashua, NH

Atty. Leonard introduced Richard Mazzocchi of Boston Capital Corp. and Ton Monahan for Nashua Housing Authority.

Atty. Leonard said that the Nashua Housing Authority will remain in charge of the project, so the list they have of people afforded opportunities to live here will remain. There are thousands of people waiting for affordable housing, and this project is directed towards them. He said there are 206 affordable units, explained how affordability is calculated.

Atty. Leonard addressed green space. He said they worked closely with city staff to determine what the appropriate density is, and how to balance that with green space. They have the opportunity of Mine Falls Park, in lieu of a park onsite. The plan is specifically designed as an urban plan. In view of the overall goals of the project, they believe they have appropriate green space for an urban project.

Atty. Leonard said the same goes for balancing the density. It's the only large site in the middle of the city that's appropriate for dense housing. It's presently used for affordable housing, and now they can quadruple that number, to be run by someone who works towards the benefit of the residents. He said the codevelopers have been working to address those concerns, and will continue to.

Atty. Leonard said they are at the beginning of the task of relocating. They are aware of the issues raised, and are working hard to address them. That is a big part of the reason that consultants and experts have been hired.

Mr. LeClair asked how affordability relates to the current 48 units.

Lynn Lombardi, Nashua Housing & Redevelopment Authority

Ms. Lombardi said all 48 of the current families are being replaced on a 1 to 1 basis. If they choose to return, they will not pay more than they currently are. The other residents will come from the Housing Authority's waiting lists. She said they are aware of the <1% vacancy, and will do what is necessary to rehouse and relocate these families.

Ms. Lombardi said the Section 8 vouchers can be taken and moved nationwide. They are not stuck to having to relocate within Nashua unless they choose to do so. That is a portability aspect to this project.

Ms. Lombardi addressed communication and notice. They held two Zoom video calls, and began contacting families directly. They followed it up with a fact sheet. This will not be the last meeting, and they will continue communicating with the families to address questions and concerns.

Ms. Lombardi addressed liveability, and said this is urban living. There is a play structure, and a playground across the street for children. There will be trash rooms for residents to bring their trash, as well as appropriate space for larger items. They have a full working maintenance staff who will pick up things that don't fit.

Mr. LeClair asked if laundry and storage facilities would be a part of this.

[Unidentified speaker]

[Unknown] said they do have bike storage planned in the larger buildings, which is the only storage they currently have designed. He said all four buildings will have elevators, which lets ADA compliant buildings be on any level. There are washer/dryer hookups available in each unit, but they are still determining whether the appliance package will include that. The infrastructure will be in place.

Tom Monahan, Nashua Housing Authority Commissioner, 28 Swart Terrace, Nashua NH

Mr. Monahan said they have 3,105 families on their waiting lists. Section 8 voucher waiting lists have 3,889 families. This is a mere dent in the issue they have within the community. He expressed the importance of the 48 families and relocation. The project will not start until all issues have been resolved to the satisfaction of them all.

Mr. LeClair asked if there are any provisions for 55+ housing.

Lynn Lombardi, Nashua Housing & Redevelopment Authority

Ms. Lombardi said that the current plan is for mixed population housing, which will include some.

Mr. LeClair asked how security would be addressed.

Ms. Lombardi explained how security is addressed at their current locations. They are willing to consider video cameras if necessary. They will all be securely locked buildings at all times. They will also work with the police department as necessary.

Mr. LeClair if there is any onsite maintenance.

Ms. Lombardi said none of their sites have 24/7 security measures, and it works. There will be onsite offices for staff to be available to residents, and they hope that will address concerns.

Mr. Weber said he found in similar projects that there were washrooms on every floor because residents could not afford washing machines. Are they proposing something similar?

Ms. Lombardi said right now they are proposing washer/dryer hookups. If that doesn't pan out, they would provide some kind of laundry service. They do that in current developments and that works well.

Ms. Harper asked if utilities are included in rent.

Ms. Lombardi said yes. She explained how utilities are handled in low income house and the utility allowance.

Ms. Harper asked how much time the residents will have to leave the place they get relocated to when they move back.

Ms. Lombardi said their hope is to work with the landlords.

Mr. Weber asked what the actual cost of rent would be, and if it's on the website.

Ms. Lombardi said it's not. She explained how the rents are calculated, which is based on the family size. HUD posts their Average Median Income limits on an annual basis, which is available.

#### **PUBLIC MEETING**

Mr. LeClair closed the public hearing and moved into the public meeting. He summarized the discussion.

Mr. Varley said there is a definite need for more affordable housing. This doesn't solve the problem, but is a good step in the right direction. This is an important project, and he supports it.

Mr. Weber said the Nashua Regional Planning Commission is always discussing the need for affordable housing, and the lack of it. He appreciates the importance of this proposal, and said there is a gigantic need for this.

Mr. Hudson said from an Engineering perspective they don't see any major hurdles that can't be overcome with this plan. Traffic Engineer Wayne Husband requested a contribution towards the Broad Street fund. In light of the fact that this is a public-private partnership and that the Housing Authority will retain ownership of the property, they will rescind that request. He requested two stipulations, that trash removal and snow removal will be performed by the owner.

Mr. Hirsch said this is a good project. The need for housing is critical.

Ms. McGhee reminded the Board of the changes to the waiver requests and any other changes to the recommended stipulations.

**MOTION** by Mr. Varley to approve New Business - Site Plan #8. It conforms to §190-146(D) with the following stipulations or waivers:

1. The request for a waiver of NRO §190-198, which establishes minimum parking standards, is/is not granted, finding that the waiver will/will not be contrary to the spirit and intent of the regulation.

2. The request for a waiver of §190-184 D (1) which requires parking aisles not contain more than 10 spaces in a row without a planted median and/or island, is/is not granted, finding that the waiver will/will not be contrary to the spirit and intent of the regulation.
3. The request for a waiver of NRO §190-193(a), which minimum parking space width, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
4. Prior to the Chair signing the plan, minor drafting corrections will be made to the plan.
5. Prior to the chair signing the plan, all comments in an e-mail from Joe Mendola, Street Construction Engineer, dated August 5, 2020 will be addressed to the satisfaction of the Engineering Department.
6. Prior to any site disturbance, the Alteration of Terrain Permit for the project shall be approved by NHDES.
7. Prior to the issuance of a building permit, all comments in an e-mail from Mark Rapaglia dated July 29, 2020 shall be addressed to the satisfaction of the Fire Marshal's Office.
8. Prior to issuance of the final certificate of occupancy for the development, an as-built plan locating all driveways, sidewalks, units, other buildings, utilities and site landscaping shall be completed by a professional engineer and submitted to the Planning Department. The as-built plan shall include a statement that all construction was generally completed in accordance with the approved site plan and applicable local regulations. Sidewalk construction shall be to base course, with final course pavement remaining bonded until completion.
9. Prior to the issuance of the final certificate of occupancy, all off-site and on-site improvements will be completed.
10. Trash removal will be done by the owner.
11. Snow removal will be done by the owner.

**SECONDED** by Mr. Weber

**MOTION CARRIED 7-0**

**OTHER BUSINESS**

1. Review of tentative agenda to determine proposals of regional impact.

None

2. Planning Board reappointment to the Capital Improvement Committee for a 2 year term to expire, August 1, 2022.

Mr. LeClair gave a brief overview of the Capital Improvement Committee. He recommended that the two members be reappointed.

**MOTION** by Mr. Weber to favorably recommend the reappointment of Laurence Szetela and Robert Canaway on the Capital Improvements Committee to the Board of Aldermen.

**SECONDED** by Mr. Varley

**MOTION CARRIED 6-0-1 (Hudson abstained)**

**DISCUSSION ITEMS**

**8 Merrit Parkway:** Paul Chisholm of Keach Nordstrom Associates and Rob Parsons held a detailed conceptual discussion with the Board regarding the possibility of a 160-unit, 4-story, residential development.

**Hudson Amazon Facility:** Mr. Weber said he has received the traffic report, and he wants to discuss it with the Nashua Regional Planning Commission.

**MOTION** to adjourn by Mr. Weber at 11:29 PM.

**MOTION CARRIED 7-0**

**APPROVED:**

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Mr. LeClair, Chair, Nashua Planning Board

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Prepared by: Kate Poirier

Taped Meeting